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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/723,039 | 11/26/2003 | Kurt E. Spears | 200208312-1X | 7816 |
| 22879 7590 04/16/2008 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400 | | | | |
| EXAMINER | | | | |
| WORKU, NEGUSSE | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2625 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 04/16/2008 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/723,039

Applicant(s)

SPEARS ET AL.

Examiner

NEGUSSIE WORKU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE-08)
Paper No(s)/Mail Date 11/26/03; 08/25/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, with respect to the rejection(s) of claim(s) 1, 11 and 19, under U.S.C 102(e) have been fully reviewed and respectfully considered.

Applicant argues that the *currently amended limitations* do not read on the prior art cited. However, upon further consideration, the examiner has incorporated the below indicated prior art to further teach this limitation.

Therefore, Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lam (USP 7,190,495), in view of Rubley et al. (USPN Re.30,503).

With respect to claim 1, Lam teaches a system (scanner system shown in fig 1) comprising: an imaging device having a light source and at least one sensor (image reading device of fig 2, comprises light source 26, 28 and image sensor 31 as shown in fig 2, col.4, lines 20-45; and a media adapter (carriage assembly 24 of fig 1) operatively associated with the imaging device, (imaging sensor 31 of fig 2) the media adapter including a first reflective surface (mirror 52 of fig 2) and a second reflective surface (second reflective mirror 54 or 59 of fig 2) arranged to shift light emitted by the light source (light source 26 as shown in fig 1) to a predetermined focus point of the at least one sensor during an imaging operation (light from light source 26 and 88, via reflective mirror 52 and 54, through lens 32 directed to a predetermined focus point which is an image sensor 31 of fig 1, during imaging operation, description of fig 2, col.4, lines 20-40).

Lam '495' does not show or explicitly teach an imaging surface on which a transparency medium is placed, wherein the light source and at least one sensor are positioned in the imaging device on a first side of the imaging surface, wherein the first and second reflective surfaces are positioned in the media adapter on a second opposite side of the imaging surface.

Rubley '503', in the same area of transparency optical scanning apparatus (as shown in fig 2), teaches an imaging surface on which a transparency medium is placed, (a transmissive or transparent document to be read placed on scanning platform 45 of fig 2, col.6, lines 24-30), wherein the light source (light source 24 of fig 1) and at least one sensor are positioned in the imaging device on a first side of the imaging

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surface, (col.5, lines 1-5) wherein the first and second reflective surfaces (col.5, lines 50-55) are positioned in the media adapter on a second opposite side of the imaging surface (col.2, lines 32-37).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Lam '495' by the teaching of Rubely '503', it should be clear to one skilled in the art that anyone of a wide variety of transmissive/reflective scan can be similarly employed to accomplish this desired result without depending from the teaching of the present invention, for the purpose of scanning a transparency document such as film, on a transparent scanning platform maybe scanned in the same manner as the reflective object, As discussed by Rubely, col.3, lines20-25.

With respect to claim 2, Lam teaches a system (scanner system shown in fig 1), further comprising a lens assembly (lens assembly 32 of fig 1 and 2) positioned between the first reflective surface (mirror 52 of fig 2) and the second reflective surface, (mirror 54 of fig 2) the lens assembly focusing the light onto the second reflective surface (lens 32 focus the light to the second mirror 54, via mirror 50 of fig 2, c0l.4, lines 40-49).

With respect to claim 3, Lam teaches a system (scanner system shown in fig 1), further comprising a lens assembly (lens 32 of fig 2) positioned between the first reflective surface (mirror 52 of fig 2) and the second reflective surface, (mirror 54 of fig

2) the lens assembly positioned to magnify a transparency image during the imaging operation (lens 32 of fig 2, positioned between the two reflective mirror 52 and 54, to magnify the image to be read during scanning operation, col.4, lines 40-45).

With respect to claim 4, Lam teaches a system (scanner system shown in fig 1, further comprising a lens assembly 932 of fig 2) positioned between the first reflective surface and the second reflective surface, (mirror 52 and 54 of fig 2) the lens assembly positioned to change resolution of a transparency image during the imaging operation, (lens 32 of fig 2, positioned between the two reflective mirror 52 and 54, to change the resolution image to be read during scanning operation, col.4, lines 40-45).

With respect to claim 5, Lam teaches a system (scanner system shown in fig 1), further comprising a lens assembly (32 of fig 5) movable between the first reflective surface, move able and the second reflective surface, (mirror 52 54 of fig 5) the lens assembly moving with the light source and the sensor of the imaging device during the imaging operation (lens assembly 32 of fig 5, moves between mirror 52 and 54 with image sensor 31, col.6, lines 25-35).

With respect to claim 6, Lam teaches a system (scanner system shown in fig 1), further comprising a lens (32 of fig 5) arranged between the second reflective surface (mirror 54 of fig 5) and the at least one sensor, (image sensor 31 of fig 2) the lens

focusing the light onto the at least one sensor (light from light source 26 and 28, reflected through the mirror 52 and 54 to the image sensor 31, via lens assembly 32 of fig 2 or 5).

With respect to claim 7, Lam teaches a system (scanner system shown in fig 1), further comprising an array of lenses (32 of fig 2) arranged between the second reflective surface (54 of fig 2) and the at least one sensor, (image sensor 31 of fig 1) the lens focusing the light onto the at least one sensor (lens 32 of fig 2, focus the light directed by mirror from light source toward the image sensor 31 of 2, col.6lines 25-30).

With respect to claim 8, Lam teaches a system (scanner system shown in fig 1), wherein said imaging device is a CIS imaging device (image sensor 31 of fig 2, is an equivalent version of CIS image sensor).

With respect to claim 9, Lam teaches a system (scanner system shown in fig 1), wherein said imaging device is a CIS imaging device (image sensor 31 of fig 2, is an equivalent version of CIS image sensor).

With respect to claim 10, Lam teaches a system (scanner system shown in fig 1), wherein a first position of the first reflective surface (mirror 52 of fig 2) and a second position of the second reflective (mirror 54 of fig 2) surface are adjustable (since the

carriage 58 is movable the mirrors are adjustable relative to the lens 32 and image sensor 31, respectively, col.6, lines 30-40).

With respect to claim 11, Lam teaches a method (scanner system shown in fig 1), comprising: projecting light from a light source along a first axis onto a transparent on which a transparency medium is positioned, (light projected on to platen glass 88, where the document to be read is positioned); when, in light that passes throt transparency medium projects a transparency image; reflecting, using a first reflective surface, the transparency image along a second axis substantially perpendicular to the first reflecting second reflective surface (light reflected from the document placed on the glass platen 88; of fig 5, reflected to the imaging sensor 31 via lens 32, during image reading operation), the reflected transparency image through the transparent surface to at least one sensor, (the reflected light from the document through glass platen 88, via mirrors are perpendicular to image sensor 31 as shown in fig 5).

Lam '495' dose not show or explicitly teach, wherein the first and second reflective surfaces are positioned in the media adapter on a second opposite side of the imaging surface.

Rubley '503', in the same area of transparency optical scanning apparatus (as shown in fig 2), teaches an imaging surface on which a transparency medium is be placed, (a transmissive or transparent document to be read placed on scanning platform 45 of fig 2, col.6, lines 24-30), wherein the first and second reflective surfaces are

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positioned in the media adapter on a second opposite side of the imaging surface (col.2, lines 32-37).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified imaging device of Lam '495' by the teaching of Rubely '503', it should be clear to one skilled in the art that anyone of a wide variety of transmissive/reflective scan can be similarly employed to accomplish this desired result without depending from the teaching of the present invention, for the purpose of scanning a transparency document such as film, on a transparent scanning platform maybe scanned in the same manner as the reflective object, As discussed by Rubely, col.3, lines20-25.

With respect to claim 12, Lam teaches a method (scanner system shown in fig 1), further comprising focusing the reflected light along the second axis (light reflected from the light source through second mirror 54, via lens 32 toward the image sensor 31, would be a second axis, since first light projected from first mirror 52, reflected along the first axis).

With respect to claim 13, Lam teaches the method (scanner system shown in fig 1), further comprising focusing the reflected light onto the at least one sensor (lens 32 of fig 2, focus the light directed by mirror from light source to ward the image sensor 31 of 2, col.6lines 25-30).

With respect to claim 14, Lam teaches the method (scanner system shown in fig 1), further comprising projecting an inverted image onto the at least one sensor during an imaging operation (light from light source 26 and 28, directed to the document to be scanned, which is placed on glass platen 88 of fig 5, inverted by a switch mirror 56, and directed to the image sensor 31, via lens 32 of fig 5).

With respect to claim 15, Lam teaches the method (scanner system shown in fig 1), further comprising projecting a non-inverted image onto the at least one sensor during an imaging operation, (light from light source 26 and 28, directed to the document to be scanned, which is placed on glass platen 88 of fig 5, would be non-inverted when it is not switched by mirror switch means 56, and directed to the image sensor 31, via lens 32 of fig 5).

With respect to claim 16, Lam teaches the method (scanner system shown in fig 1), further comprising changing resolution of a transparency image on the transparency imaging surface during an imaging operation (lens 32 of fig 2, positioned between the two reflective mirror 52 and 54, to change the resolution image to be read during scanning operation, col.4, lines 40-45).

With respect to claim 17, Lam teaches the method (scanner system shown in fig 1), further comprising magnifying a transparency image on the transparency imaging surface during an imaging operation, (lens 32 of fig 2, positioned between the two reflective mirror 52 and 54, to magnify the image to be read during scanning operation, col.4, lines 40-45).

With respect to claim 18, Lam teaches the method (scanner system shown in fig 1), further comprising moving the projected light over the transparency-imaging surface during the imaging operation (carriage 58 of fig 5, moves the projected light from light source via mirror through lens 32 on to the glass platen 88 of fig 5).

Claims having Allowable subject

4. The following is an examiner's statement of reasons for indicating allowable subject matter: Regarding claims 19-23, in response to the Office action dated October 19, 2007, and further to the amendments filed 01/22/08, applicant's request in view of the amendments and remarks have been respectfully is considered are allowed for the reason the prior art searched and of record neither anticipates nor suggests a system comprising: at least one sensor; an image surface; means for illuminating a transparency medium placed on the imaging surface during an imaging operation, the illuminating to produce a transparency image, wherein the means for illuminating includes a light source positioned, on a first side of the imaging surface, and wherein the at least one sensor is also positioned on the first side of the imaging surface; and means for shifting the transparency image to a predetermined focus point of at least one

sensor, wherein the means for shifting includes plural reflective surfaces to reflect light passed from the light source through the transparency medium, wherein the plural reflective surfaces are positioned on a second, opposite side of the imaging surface.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Primary Examiner, Art Unit 2625

/Edward L. Coles/

Supervisory Patent Examiner, Art Unit 2625